IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2282 OF 2005

IN

WRIT PETITION NO.5605/2004

The Principal General Manager ..Applicant.
BSNL Kalan Telecom.

Versus

Shri G.B. Khatede & Anr. ..Respondents.

Mr. V.S. Masurkar h/f.R.Asokan for the Applicant.
Mr. S.S.Kerkera for the Respondents.

CORAM : B.H. MARLAPALLE, J.

DATED : 08TH SEPTEMBER,2005.

P.C.:

. Heard Mr.Masurkar for the applicant.

. Writ petition No. 5605/2004 appears to have been dismissed in default on 20.07.2004 and hence this application for restoration of the said petition. The application was presented before this court on or

about 10.08.2004 and motion was moved for the first time for order on this application on 01.09.2005 i.e. after about 13 months. It is submitted by the learned counsel that the Award passed by the Central Government Industrial Tribunal on 06.03.2003 is under challenge in writ petition No 5605/2004 and when the said petition had come for admission before this court on 20.07.2004, the learned Advocate for the petitioner could not remain present on account of his ill health. I am satisfied that a sufficient cause has been made out and therefore, the application is allowed in terms of prayer clause (a).

DT.08.09.05 (B.H.Marlappalle,J)